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Book Reviews

VALIDITY OF RATE REGULATIONS. By Robert P. Reeder. T. & J. W. Johnson Company, 535 Chestnut Street, Philadelphia. 1914. pp. xv., 440. \$5.00 net.

The author of this treatise surveys the problem of rate regulation from the viewpoint of constitutional law. No attempt is made to review rate-making principles in their broader aspect; in fact, the avowed purpose is to restrict the treatment to "the principles of constitutional law which are involved in rate regulation." The bounds thus established have been conscientiously observed, and the result is an intelligent and discriminating commentary upon a topic of limited scope but of far-reaching import.

The subject is appropriately introduced with the commerce clause. The author is not content with a mere digest of decisions—he has undertaken, here as elsewhere, to develop the philosophy of his subject. No attempt is made to force decision into harmony with theory; where divergence exists, it receives full recognition, and thus principle and authority are alike available. The reader may find it difficult to accept the view that the authority granted to Congress over commerce should be held paramount merely and in no respect exclusive, but the cogency of the author's reasoning will not be denied.

Due process of law is considered in turn, and with the same discriminating care. The historical inquiry in this connection is of more than casual interest. The critical student will agree with the conclusion that the phrase "due process of law" was intended to have a procedural application only, and not to be employed as a restraint upon substantive law. It is difficult, however, to share the author's half-revealed conviction that the long established authorities upon due process will one day be overturned.

The remaining chapters of the work are devoted to the equal protection provision, just compensation, the impairment of contracts, preferences to ports and limitations upon federal judicial power. The mere catalogue of subjects will suffice to reveal their interest.

A more extended review of these pages would be superfluous. The text is consistently stimulating, and is supported by a wealth of foot-notes and authorities which respond to the propositions to which they are cited—a refreshing phenomenon. We are not indulging in fulsome eulogy when we say that this volume supplies a long-recognized gap in the book shelf. The treatise is scholarly but practical, concise and yet comprehensive. It should yield effective service in the law school and the profession alike.

A. P. M.